

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HECTOR MALDONADO,

Petitioner,

FILED

CIVIL ACTION

v.

AUG 26 2016

No. 15-2639

ROBERT C. GILMORE, *et al.*,

Respondents.

LUCY V. CHIN, Interim Clerk
By Dep. Clerk

ORDER

This 26th day of August, 2016, upon careful and independent consideration of the petition for Writ of *Habeas Corpus*, and after review of the Report and Recommendation of United States Chief Magistrate Judge Linda K. Caracappa, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for Writ of *Habeas Corpus* is **DENIED** as to claims one and two and **DISMISSED** as to claim three with prejudice;
3. Petitioner's Request for an Evidentiary Hearing (Doc. 14) is **DENIED**;
4. There is no probable cause to issue a certificate of appealability; and
5. The Clerk of the Court shall mark this case closed for statistical purposes.

BY THE COURT:



Gerald Austin McHugh
United States District Judge